

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

3030 Matlock Rd., Suite 201

Arlington, Texas 76015

Jeff Carruth
Attorney At Law
Direct dial: (713) 341-1158
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October 27, 2021

By email to: MNevarez@LawOfficesMRN.com
and Federal Express

Mr. Michael R. Nevarez
The Nevarez Law Firm, PC
7362 Remcon Circle
El Paso, Texas 79912

Re: Case No. 21-30071; *In re The Gateway Ventures, LLC*, in the United States Bankruptcy Court for the Western District of Texas, El Paso Division (the “**Bankruptcy Case**”)

Order (I) Approving First Amended Disclosure Statement In Support Of Plan Of Reorganization Of The Gateway Ventures LLC Dated September 1, 2021 And (II) Confirming First Amended Plan Of Reorganization As Modified Of The Gateway Ventures LLC Dated October 14, 2021 (Re: Docket Nos. 155, 245) (Docket No. 246) (the “**Confirmation Order**”)

Final Order Granting Emergency Motion Of Debtor To Assume And Enforce Westar Subscription Agreement And Grant Related Relief (Re: Docket No. 219) (Docket No. 231) (the “**Lot 7 Order**”)

Notice of Lis Pendens: Document Nos. 20200074309 and Document No. 20200074547, OPR El Paso County, Texas

Dear Mr. Nevarez:

As you know, this firm represents The Gateway Ventures LLC, the reorganized debtor under the Bankruptcy Case.

Contrary to the Plan (as define din the Confirmation Order), we note that Westar Investment Group LLC has not released various notice(s) of lis pendens that Westar has filed with respect to the real property of TGV.

Accordingly, Pursuant to Section 5.8 of the confirmed Plan (as defined in the Confirmation Order), the Confirmation Order, and/or the Lot 7 Order, demand is hereby made for the immediate release of the notice(s) of lis pendens filed by Westar by immediately fully executing (in front of a notary) and returning the enclosed form of release.

Mr. Michael R. Nevarez

October 27, 2021

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A federal express return envelope is enclosed for your use (and it is directed to the address of my residence for expediency). Alternatively, I can send a courier to pick up the executed release in the Dallas-Fort Worth – please contact me for precise arrangements.

Time is of the essence.

Thank you for your prompt attention to and assistance with this matter. Please contact me if I may be of any assistance or if I may answer any questions.

Respectfully,



Jeff Carruth

Enclosure

cc: The Gateway Ventures LLC

ORIGIN ID: FWHM (817) 795-5046
 MARY CORNELL
 WEYGER KAPLAN PULASKI & ZUBER
 3030 MATLOCK RD., STE. 201
 ARLINGTON, TX 76015
 UNITED STATES US

SHIP DATE: 27OCT21
 ACTWGT: 0.50 LB
 CAD: 107361802INET4400

BILL SENDER

TO JEFF CARRUTH

4328 GLENWICK LN

DALLAS TX 75205

REF: GATD14.00004

(214) 552-7242
 INV: PO: DEPT:



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56DJ3/14BA/FE4A

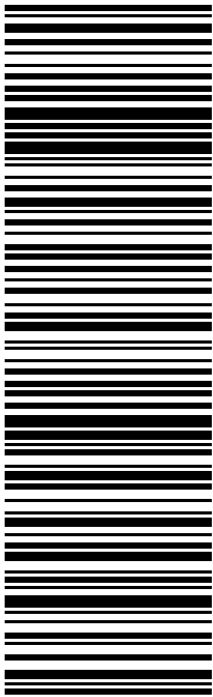
TRK# 7750 4126 5684
 0201

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STATE OF TEXAS §
 §
COUNTY OF EL PASO §

RELEASE OF NOTICE OF LIS PENDENS

*Notice is given that the Notice of Lis Pendens' filed by the undersigned with the county clerk in El Paso County, Texas, on September 14, 2020 and recorded September 16, 2020 under **Document No. 20200074309** and **Document No. 20200074547** in the real property records of El Paso County, Texas, because of the lawsuit, Cause No. 2020DCV0914, and styled Westar Investors Group, LLC. et. al. v. The Gateway Ventures, I.LC, el. al., is released for the property of that agreement more particularly described in **Exhibit 001**, which is attached and incorporated into this document by reference. Pursuant to the motion granted in the Western District of Texas Case# 21-30071 dated October 4, 2021, Weststar shall immediately release the Lis Pendens and this document will serve as official documentation to forever quash the Lis Pendens' on the property related to this document provided reference as **Exhibit 001**. Notice is given that the Notice of Lis Pendens' filed by the undersigned with the county clerk in El Paso County, Texas, on September 14, 2020 and recorded under **Document No. 20200074309** and **Document No. 20200074547** in the real property records of El Paso County, Texas, because of the lawsuit, Cause No. 2020DCV0914, and styled Westar Investors Group, I./C, et. al. v. The Gateway Ventures, I.LC, el. al., is released for the property of that agreement more particularly described in **Exhibit 001**, which is attached and incorporated into this document by reference. Pursuant to the motion granted in the Western District of Texas Case# 21-30071 dated October 4, 2021, Weststar shall immediately release the Lis Pendens and will this document will serve as*

official documentation to forever quash the Lis Pendens' on the property related to this document provided reference as **Exhibit 001.**

{continued on following sheet}

EXECUTED as of _____, 2021.

WESTSTAR INVESTORS, LLC.
a Texas limited liability company

By: _____
Name: Saleem Makani
Title: Managing Member

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF _____ §

This Warranty Deed with Vendor's Lien was acknowledged before me on the _____ day
September, 2021, by _____, Managing Member of WESTSTAR INVESTORS LLC,
and not individually as specified above.

Notary Public, State of Texas

My commission expires: _____

AFTER RECORDING RETURN TO:
The Gateway Ventures, LLC.
910 E Redd RD Suite K
EL Paso, Tx 79912

EXHIBIT 001 — PROPERTY DESCRIPTION

Being a 19.96 acre tract of land out of a portion of Tract 4A, now known as Tract 4H, Block 2, Ascarate Grant, El Paso County, Texas, more particularly described by metes and bounds in **Exhibit “A”**, save and except **Exhibit “A-1”**, both attached hereto and made a part hereof for all purposes; and

Parcel 1: Lot 2, Block 4, INTERNATIONAL INDUSTRIAL CENTER UNIT 1, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 18, Page 5, Plat Records of El Paso County, Texas; and

Parcel 2: A parcel of land which was originally owned as a portion of Lot 3, Block 4, INTERNATIONAL INDUSTRIAL CENTER UNIT 1, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 18, Page 5, Plat Records of El Paso County, Texas, a subsequently replatted as a portion of International Drive, according to the certain re-plat filed in Volume 18, Page 54, Plat Records, El Paso County, Texas, and vacated by the City of El Paso by Ordinance Number 7479, dated 04/20/1991, said parcel being more particularly described by metes and bounds in **Exhibit “B”** attached hereto and made a part hereof for all purposes.

Exhibit "A"

Legal Description

BEING A 19.96 ACRE TRACT OF LAND OUT OF A PORTION OF TRACT 4A, NOW KNOWN AS TRACT 4H, BLOCK 2, ASCARATE GRANT, EL PASO COUNTY, TEXAS BEING THE SAME TRACT DESCRIBED IN A DOCUMENT TO MAGELLAN PIPELINE TERMINALS, L.P. ACCORDING TO THE DOCUMENT RECORDED IN DOCUMENT NUMBER 20070077714, OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS (SEE BELOW "RECORD LEGAL DESCRIPTION") AND BEING COMPRISED ENTIRELY OF A 15.69 ACRE TRACT DEPICTED HEREON AS PARCEL A AND A 4.27 ACRE TRACT DEPICTED HEREON AS PARCEL B AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 5/8-INCH IRON ROD (N:10661485.99, E:415533.47) FOR THE SOUTH CORNER OF SAID TRACT, FROM WHICH THE FOUND CITY MONUMENT NUMBER 1033 BEARS N 51°16'28" W, A DISTANCE OF 1031.01 FEET;

THENCE N 58°34'05" W, A DISTANCE OF 740.25 FEET ALONG THE SOUTHWEST LINE OF SAID MAGELLAN TRACT, TO A FOUND "X" CHISELED IN CONCRETE FOR THE MOST SOUTHERLY WEST CORNER OF SAID TRACT;

THENCE N 31°29'49" E, A DISTANCE OF 215.04 FEET ALONG THE NORTHWEST LINE OF SAID MAGELLAN TRACT, TO A SET "X" CHISELED IN ASPHALT FOR AN INTERIOR CORNER OF THIS TRACT COMMON TO THE EAST CORNER OF A LOT 1, BLOCK 1, HOWDY'S SUBDIVISION (CENTRAL) UNIT ONE, EL PASO COUNTY, AS RECORDED IN VOLUME 75, PAGE 34, PLAT RECORDS EL PASO COUNTY, TEXAS;

THENCE N 58°30'13" W, A DISTANCE OF 215.68 FEET ALONG THE SOUTHWEST LINE OF SAID MAGELLAN TRACT COMMON TO THE NORTHEAST LINE OF SAID LOT ONE TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "GATEWAY MIDLAND" FOR THE MOST NORTHERLY WEST CORNER OF SAID TRACT;

THENCE N 31°30'31" E, A DISTANCE OF 749.54 FEET ALONG THE NORTHWEST LINE OF SAID MAGELLAN TRACT COMMON TO THE SOUTHEAST LINE OF THE INTERNATIONAL INDUSTRIAL CENTER, UNIT 1 SUBDIVISION AS RECORDED IN VOLUME 18, PAGE 8, PLAT RECORDS, EL PASO COUNTY, TEXAS TO A SET CHISELED "X" FOR THE MOST WESTERLY NORTH CORNER OF SAID TRACT;

THENCE N 80°43'21" E, A DISTANCE OF 50.99 FEET ALONG THE NORTH LINE OF SAID MAGELLAN TRACT COMMON TO THE SOUTH LINE OF A TRACT TO HOY FAMILY LIMITED PARTNERSHIP, ACCORDING TO THE DOCUMENT RECORDED IN DOCUMENT NUMBER 20060054513, OFFICIAL PUBLIC RECORDS, EL PASO COUNTY, TEXAS TO A FOUND PK NAIL WITH SPINNER FOR THE MOST EASTERLY NORTH CORNER OF SAID TRACT;

THENCE S 53°41'38" E, A DISTANCE OF 909.99 FEET ALONG THE NORTHEAST LINE OF SAID MAGELLAN TRACT, COMMON TO THE SOUTHWEST LINE OF VISCOUNT SUBDIVISION AS RECORDED IN VOLUME 60, PAGE 33, PLAT RECORDS EL PASO COUNTY, TEXAS TO A FOUND CHISELED "X" FOR THE MOST NORTHERLY EAST CORNER OF SAID MAGELLAN TRACT;

THENCE S 32°45'28" W, A DISTANCE OF 365.01 FEET ALONG THE SOUTHEAST LINE OF SAID MAGELLAN TRACT TO A FOUND 5/8-INCH IRON ROD FOR AN INTERIOR CORNER OF SAID MAGELLAN TRACT;

THENCE S 69°44'42" E, A DISTANCE OF 31.47 FEET ALONG THE NORTHEAST LINE OF SAID MAGELLAN TRACT TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "GATEWAY MIDLAND" FOR AN EXTERIOR CORNER OF SAID TRACT;

THENCE S 32°50'26" W, A DISTANCE OF 556.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.96 ACRES OF LAND.

AND MORE PARTICULARLY DESCRIBED IN RECORD DESCRIPTION PER INSTRUMENT NUMBER 20070077714, OFFICIAL PUBLIC RECORDS EL PASO COUNTY, TEXAS:

A PARCEL OF LAND LYING IN AND BEING A PORTION OF TRACT 4A, BLOCK 2, ASCARATE GRANT, EL PASO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN X CHISELED IN A CONCRETE CURB, SAID POINT BEING THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF AIRWAY BLVD. AND THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 10, AND ALSO BEING THE POINT OF BEGINNING OF THE PARCEL BEING DESCRIBED: THENCE NORTH 28°21'26" EAST A DISTANCE OF 130.27 FEET TO A POINT; THENCE FOLLOWING A CURVE TO THE LEFT ALONG THE EASTERLY RIGHT-OF-WAY LINE OF AIRWAY BLVD. AN ARC DISTANCE OF 222.09 FEET TO A POINT, THE CENTRAL ANGLE OF SAID CURVE BEING 15°54'11", ITS RADIUS BEING 800.15 FEET, AND THE LONG CHORD BEARING NORTH 20°24'21" EAST A DISTANCE OF 221.38 FEET; THENCE FOLLOWING A CURVE TO THE RIGHT AN ARC DISTANCE OF 38.97 FEET TO A POINT, THE CENTRAL ANGLE OF SAID CURVE BEING 105°54'40", ITS RADIUS BEING 20.00 FEET, AND THE LONG CHORD BEARING NORTH 65°24'35" EAST A DISTANCE OF 31.83 FEET; THENCE SOUTH 61°38'34" EAST A DISTANCE OF 11.40 FEET TO A POINT; THENCE NORTH 28°21'26" EAST A DISTANCE OF 626.18 FEET TO A CONCRETE NAIL WITH A DISC; THENCE SOUTH 55°48'44" EAST A DISTANCE OF 948.90 FEET TO A 5/8 INCH DIAMETER IRON REBAR; THENCE 29°22'10" WEST A DISTANCE OF 384.09 FEET TO A 5/8 INCH DIAMETER IRON REBAR; THENCE SOUTH 62°38'50" EAST A DISTANCE OF 31.47 FEET TO A 5/8 INCH IRON REBAR; THENCE SOUTH 29°55'26" WEST A DISTANCE OF 558.00 FEET TO A 5/8 INCH DIAMETER IRON REBAR LYING IN THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 10; THENCE NORTH 61°38'34" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 10 DISTANCE OF 955.31 FEET TO THE POINT OF BEGINNING OF THE PARCEL BEING DESCRIBED AND CONTAINING 920,338.530 SQUARE FEET OR 21.128 ACRES OF LAND MORE OR LESS.

SAVE AND EXCEPT:

BEING 0.0045 OF AN ACRE OF LAND, (195.27 SQUARE FEET) MORE OR LESS, OUT OF AND A PART OF TRACT 4H, BLOCK 2, ASCARATE GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, SAID 0.0045 OF AN ACRE OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT: COMMENCING AT A POINT WHICH IS A CITY MONUMENT AND LOCATED AT THE CENTERLINE OF AIRWAY BOULEVARD, SAID POINT IS ALSO THE POINT OF CURVATURE ALONG SAID AIRWAY BOULEVARD CENTERLINE; THENCE, SOUTH 28°21'08" WEST, A DISTANCE OF 130.27 FEET TO THE POINT OF INTERSECTION OF SAID CENTERLINE AND THE PROJECTED NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 10 (1H-10); THENCE, ALONG SAID PROJECTED RIGHT-OF-WAY LINE OF 1H-10, SOUTH 61°38'52" EAST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID AIRWAY BOULEVARD, NORTH 28°21'08" EAST A DISTANCE OF 19.00 FEET TO A POINT ON THE PROPOSED RIGHT-OF-WAY LINE OF 1H-10, SAID POINT IS ALSO A POINT OF CURVATURE; THENCE, 32.75 FEET ALONG THE ARC OF A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE IS 37°07'07", WHOSE RADIUS IS 55.00 FEET AND WHOSE CHORD BEARS SOUTH 25°34'38" EAST, A DISTANCE OF 32.27 FEET TO A POINT OF TANGENCY; THENCE, ALONG SAID NORTHERLY EXISTING RIGHT-OF-WAY LINE OF SAID

INTERSTATE 10, NORTH 61°39'52" WEST, A DISTANCE OF 26.08 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING AN AREA OF 0.0043 OF AN AREA (ACRE?) OF LAND, MORE OR LESS.

ALSO SAVE AND EXCEPT:

ALL THAT CERTAIN TRACT OF PARCEL OF LAND CONTAINING 706 SQUARE FEET LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, SAME BEING A PORTION OF TRACT 4H, BLOCK 2, OF THE ASCARATE GRANT AND BEING THAT SAME PARCEL OF LAND DESCRIBED IN A QUITCLAIM DEED FROM SHELL OIL COMPANY TO ROBERT H. HOY, JR., ET UX. OF RECORD IN VOLUME 2761, PAGE 1838, OF THE DEED RECORDS OF EL PASO COUNTY, TEXAS, AND ALSO BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1/2 INCH REBAR FOUND MARKING THE NORTH CENTER OF SAID TRACT 4H, SAME BEING THE WEST CORNER OF TRACT 4H2A, OF SAID BLOCK 2, AND BEING ON THE SOUTHEAST LINE OF LOT 1, BLOCK 4, OF THE INTERNATIONAL INDUSTRIAL CENTER, UNIT 1, AN ADDITION TO THE CITY OF EL PASO, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 5, OF THE PLAT RECORDS OF EL PASO COUNTY, TEXAS; THENCE, SOUTH 59°39'10" EAST, WITH THE NORTHWEST LINE OF SAID TRACT 4H, SAME BEING THE SOUTHWEST LINE OF SAID TRACT 4H2A, A DISTANCE OF 38.76 FEET TO A CHAINLINK FENCE, SAME BEING ON THE SOUTH SIDE OF A CONCRETE DRAIN, AND BEING NORTH 58°39'10" WEST, 667.70 FEET, FROM A FOUND 1/2 INCH REBAR; THENCE, SOUTH 77°44'37" WEST, WITH THE SAID CHAINLINK FENCE AND ALONG THE SOUTH SIDE OF SAID CONCRETE DRAIN, SAME BEING THE SOUTH LINE OF SAID ROBERT H. HOY, JR., TRACT, A DISTANCE OF 50.92 FEET TO THE SOUTHEAST LINE OF SAID LOT 1, BLOCK 4, SAME BEING THE NORTHWEST LINE OF SAID TRACT 4H, AND BEING NORTH 28°21'26" EAST, 589.39 FEET FROM A FOUND 1/2 INCH REBAR; THENCE, NORTH 28°21'26" EAST, WITH THE SOUTH EAST LINE OF SAID LOT 1, SAME BEING THE NORTHWEST LINE OF SAID TRACT 4H, A DISTANCE OF 36.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 706 SQUARE FEET OF LAND.

ALSO SAVE AND EXCEPT:

LOT 1, BLOCK 1, HOWDY'S SUBDIVISION (CENTRAL) UNIT ONE, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE RECORDED PLAT OF RECORD IN THE PLAT RECORDS OF EL PASO COUNTY, TEXAS.

ALSO SAVE AND EXCEPT:

Exhibit A-1
BROCK & BUSTILLOS INC.
 CIVIL ENGINEERS URBAN DESIGNERS LAND SURVEYORS

 ROMAN BUSTILLOS, P.E.
 President
 RANDY R. BROCK, P.E.
 Executive Vice President
 SERGIO J. ADAME, P.E.
 Vice President - Engineering
 AARON ALVARADO, R.P.L.S.
 Vice President - Surveying
 T&E Reg. No. F-737
 T&E Reg. No. 101314-00

METES AND BOUNDS DESCRIPTION
(HOY FAMILY PARCEL)

A 2.6634 acres parcel of land situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Tract 4H, Block 2, Ascarate Grant, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch rebar found on the northerly right-of-way line of U.S. Interstate Highway No. 10 (300 feet wide) and the westerly boundary line of Young American Subdivision as filed in Volume 44, Page 35, El Paso County Plat Records, identical to the southeasterly corner of said Tract 4H, **WHENCE**, a chiseled "X" in concrete found for the east-southwesterly corner of said Tract 4H, identical to the southeasterly corner of Lot 1, Block 1, Howdy's Subdivision as filed in Volume 75, Page 34, El Paso County Plat Records, bears North 58°34'05" West, a distance of 740.25 feet; **THENCE**, leaving the northerly right-of-way line of said U.S. Interstate Highway No. 10 and following the westerly boundary line of said Young American Subdivision, North 32°50'26" East, a distance of 556.66 feet to an angle point; **THENCE**, continuing along the westerly boundary line of said Young American Subdivision, North 59°44'42" West, a distance of 31.47 feet to an angle point; **THENCE**, continuing along the westerly boundary line of said Young American Subdivision, North 32°45'26" East, a distance of 280.01 feet to a 1/2-inch rebar with survey cap No. "TX 6223" set for the **POINT OF BEGINNING** of the parcel herein described;

THENCE, leaving the westerly boundary line of said Young American Subdivision, North 53°41'38" West, a distance of 861.57 feet to a 1/2-inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, South 31°30'31" West, a distance of 423.71 feet to a 1/2-inch rebar with survey cap No. "TX 6223" set for an angle point of the parcel herein described;

THENCE, North 58°29'29" West, a distance of 85.00 feet to a 1/2-inch rebar with survey cap No. "TX 6223" set for the southwesterly corner of the parcel herein described, identical to the easterly boundary line of International Industrial Center Unit 1 as filed in Volume 18, Page 5, El Paso County Plat Records;

THENCE, following the easterly boundary line of said International Industrial Center Subdivision, North 31°30'31" East, a distance of 479.19 feet to a chiseled "X" in concrete found for the west-northwesterly corner of the parcel herein described, identical to the southeast corner of Tract 4H3, Block 2, Ascarate Grant;

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"EXHIBIT A-1"

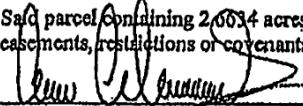
Page 2 of 2

THENCE, leaving the easterly boundary line of said International Industrial Center Unit 1 and following the southeast boundary line of said Tract 4H3, North 80°30'49" East, a distance of 51.14 feet to a PK Nail with shiner found for the east-northwesterly corner of the parcel herein described, identical to the northeast corner of said Tract 4H3;

THENCE, following the northerly boundary line of said Tract 4H, South 53°41'38" East, a distance of 909.99 feet to a chiseled "X" in concrete found on the westerly boundary line of said Young American Subdivision for the northeasterly corner of the parcel herein described, identical to the southeasterly corner of Lot 4, Block 1, Viscount Subdivision as filed in Volume 60, Page 33, El Paso County Plat Records;

THENCE, following the west boundary line of said Young American Subdivision, South 32°45'26" West, a distance of 85.00 feet to the *POINT OF BEGINNING*.

Said parcel containing 2.0034 acres (116,016.5 square feet), more or less, and being subject to all easements, restrictions or covenants of record.


Aaron Alvarado, TX R.P.L.S. No. 6223

Date: November 12, 2019

07173-001A4-HOY-DESG.doc



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EXHIBIT A -1

